

Request for Proposal
ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS
SURPLUS PROPERTY DIVISION

Issue Date: November 4, 2016

Proposal Due Date: December 14, 2016

Description of Services

The Alabama Department of Economic and Community Affairs Surplus Property Division (“ADECA”) is soliciting proposals from qualified applicants to periodically conduct public auctions for surplus property deemed eligible for sale.

General Requirements and Scope

- The Auctioneer must have experience conducting large public auctions;
- The Auctioneer will sell at public auction(s) held in Montgomery, Alabama, such property as may be required from time to time on such dates as shall be specified by the State;
- The Auctioneer must be accompanied by one ringman for each auction;
- The Auctioneer must be in good standing with the Alabama State Board of Auctioneers;
- The Auctioneer shall be paid an amount per day not to exceed one day for sale of up to 500 lots of property; and,
- The Auctioneer shall pay all of his own expenses related to the auction.

Qualification Requirements

The Respondent has a continuing obligation to disclose information throughout the RFP process should any qualifications or situations change that might render the Respondent as an unqualified candidate.

The following are minimum requirements:

- The Respondent is/will be registered to do business with the State of Alabama through the STAARS Vendor Self Service (“VSS”), if selected. For more information, visit VSS at <https://procurement.staars.alabama.gov>.
- The Respondent is/will be qualified with the Secretary of State to conduct business in the State of Alabama, if selected. For more information, visit the Secretary of State website at www.sos.alabama.gov and click Corporations.
- The Respondent covenants that it will have no interest, direct or indirect, that will conflict in any manner or degree with the performance of the contract. The Respondent shall employ no person having any such known interests.
- The Respondent has a policy and practice of equal employment opportunity and nondiscrimination based on age, race, creed, and/or gender.

- The Respondent attests that all workers providing the services described in this RFP are either citizens of the United States or are in proper and legal immigration status that authorizes them to be employed for pay within the United States.
- The Respondent attests that it is not currently engaged in, and will not engage in, the boycott of a person or an entity based on doing business with a jurisdiction with which this state can enjoy open trade.

Selection Criteria:

ADECA is seeking a Respondent who will provide the lowest total cost. If multiple proposals are received, ADECA Surplus Property will select a respondent who meets the general and minimum requirements specified above, and who will provide services at the lowest total cost.

Required Information:

Proposals should be as thorough and detailed as possible so that your capabilities to provide the required services can be properly evaluated.

To be considered, responses to this RFP must include: (1) a brief transmittal letter, (2) a statement of fees with total project cost; and (3) a disclosure statement.

All proposals submitted in response to this RFP must include one original and completed Disclosure Statement as required by Ala. Code § 41-16-80, et seq., (1975), as amended. Copies of the Disclosure Statement and information may be downloaded from the Alabama Attorney General's web site at www.ago.alabama.gov.

All proposals submitted must contain one (1) original and two (2) copies.

All proposals must be received no later than **5:00 p.m., Wednesday, December 14, 2016** at:

Alabama Department of Economic and Community Affairs
Surplus Property Division
Attn: Shane Bailey
4590 Mobile Highway
Montgomery, Alabama 36108

It is the responsibility of the Respondent to ensure that its proposal is timely delivered and received in the ADECA Surplus Property Division on or before the deadline stated above. ADECA will not consider proposals received after the deadline. ADECA assumes no responsibility for late delivery by the U.S. Mail, the State's Central Mail Facility, a commercial courier service, or any other method of delivery selected by the Respondent.

Questions pertaining to this RFP may be submitted by email to Surplus Property Division Chief Shane Bailey, at shane.bailey@adeca.alabama.gov.

Agreement:

All duties of the Respondent shall be set forth in a contract agreement between the Respondent and ADECA. The contract will incorporate reference to the requirements of the RFP and the Respondent's proposal as negotiated.

State law prohibits ADECA from agreeing to (1) indemnify the Respondent; (2) waive the right for jury trial; (3) grant a security interest; or (4) binding arbitration. Additionally, it is mandatory that Alabama laws apply to the performance of the contract and that jurisdiction and venue be in Montgomery, Alabama for state and federal courts.

Public Information

All responses received will be subject to the Alabama Open Records Act, Ala. Code § 36-12-40 (1975), as amended, and may be subject to public disclosure upon request. The Open Records Act is remedial and should therefore be liberally construed in favor of the public. The Alabama Trade Secrets Act is Ala. Code §§ 8-27-1 to 8-27-6 (1975), as amended. Responders are cautioned to be familiar with these statutes. The burden is on the one asserting the trade secret to show that the information sought to be protected meets the definition of a Trade Secret as defined in the Act.

Any RFP response submitted that contains confidential, trade secrets, or proprietary commercial information must be conspicuously marked on the outside as containing confidential information, and each page upon which confidential information appears must be conspicuously marked as such. Identification of the entire bid proposal as confidential is not acceptable unless the Respondent enumerates the specific grounds or applicable laws which support treatment of the entire material as protected from disclosure to the foregoing statutes or other applicable Alabama law.

The owner of the confidential information shall indemnify and hold the State of Alabama, ADECA, and ADECA's staff harmless from all costs or expenses including, but not limited to, attorney fees and expenses related to litigation concerning disclosure of said information and documents.